

United States District Court

NOV 28 2017

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Yesica Martinez

PRINCIPAL

Case Number:

YOB: 1993

M-17- 2169 -M

United States Citizen

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 27, 2017 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Kevin Manuel Hernandez-Figueroa, a national of El Salvador, and Reina Isabel Hernandez-Figueroa, a national of the United Mexican States, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On November 27, 2017, a Border Patrol Agent responded to a camera activation displaying several subjects traveling north towards the Azteca Trailer Park, in Rio Grande City, Texas. As the agent arrived to the Azteca Trailer Park, he observed several subjects jumping into the bed of a moving pickup truck. The agent then proceeded to activate his vehicle's emergency equipment and conducted a vehicle stop.

The agent made contact with the driver and identified himself as a Border Patrol agent. As the agent approached the driver, he observed several subjects laying down in the bed of the pickup truck. The agent conducted an immigration inspection of all subjects aboard the pickup truck. The driver was identified as Yesica MARTINEZ, a United States Citizen. The subjects in the bed of the pickup truck were determined to be illegally present in the United States.

All subjects were placed under arrest and transported the Border Patrol station.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Appas,
Rosa C. L.
AUSA

Signature of Complainant

David Bernal III Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

November 28, 2017

Date

3:33 pm at

McAllen, Texas

City and State

Peter E. Ormsby

Name and Title of Judicial Officer

U. S. Magistrate Judge

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17- 2169 -M

RE: Yesica Martinez

CONTINUATION:

PRINCIPAL STATEMENT:

Yesica MARTINEZ, a citizen of the United States, was read her was read her Miranda rights and agreed to provide a statement without an attorney present.

MARTINEZ stated that she was hired by a smuggler to pick up illegal aliens and was to be paid \$200 (USD) per person. MARTINEZ indicated she was instructed to pick up the illegal aliens by some trailers and transport them to an unknown location in Rio Grande City, Texas. MARTINEZ stated that after she picked up the illegal aliens she was stopped by Border Patrol. MARTINEZ described the vehicle she was driving as a tall and red truck. MARTINEZ admitted she knew the subjects she picked up were illegal aliens and has transported illegal aliens in the past.

MATERIAL WITNESS 1:

Kevin Manuel HERNANDEZ-Figueroa, a citizen of El Salvador, was read his Miranda Rights and agreed to provide a statement without an attorney present.

HERNANDEZ stated his father made his smuggling arrangements with an unknown smuggler and was to pay \$6000 (USD) to be smuggled to Houston, Texas. HERNANDEZ stated he made his illegal entry into the United States by raft with several other individuals. Once in the United States, HERNANDEZ claimed the rafter instructed them to follow a road up a hill until they reached some trailers and a red truck would be there to pick them up. Once the red truck arrived, HERNANDEZ indicated they ran and boarded the bed of a four door red truck while it was still in motion. Shortly after they boarded, HERNANDEZ states they were arrested by Border Patrol.

MATERIAL WITNESS 2:

Reina Isabel HERNANDEZ-Figueroa, a citizen of Mexico, was read her Miranda rights and agreed to provide a statement without an attorney present.

HERNANDEZ-Figueroa stated her mother made her smuggling arrangements and was to pay an unknown dollar amount to be smuggled into the United States. HERNANDEZ-Figueroa claimed she made her illegal entry into the United States by raft with several other individuals. HERNANDEZ-Figueroa stated a foot guide instructed them to run up towards some trailers and that a red truck would be picking them up. HERNANDEZ-Figueroa indicated they waited for a few minutes by the trailers until a red truck showed up. HERNANDEZ-Figueroa stated a red truck showed up and they ran and boarded into the bed of the truck while it was still in motion. HERNANDEZ-Figueroa stated moments later they were arrested by Border Patrol.

HERNANDEZ-Figueroa was shown a photo lineup and was able to identify MARTINEZ as the driver of the red truck.